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15 *Liaison Counsel for Direct Action Plaintiffs*

16 **UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION**

19 IN RE: CATHODE RAY TUBE (CRT)  
20 ANTITRUST LITIGATION

21 Master File No. 3:07-cv-05944-SC  
22 MDL No. 1917

23 This document relates to:

24 *Tech Data Corp., et al. v. Hitachi, Ltd., et  
25 al., No.13-cv-00157;*

26 *Dell Inc., et al. v. Phillips Electronics North  
27 America Corporation, et al., No. 13-cv-  
02171;*

28 *Viewsonic Corporation v. Chunghwa  
Picture Tubes Ltd., et al., No.13-cv-02510;*

29 *Siegel v. Technicolor SA, et al., No.13-cv-  
30 05261;*

31 *Sears, Roebuck and Co., et al. v.  
32 Technicolor SA, No. 13-cv-05262;*

33 *Best Buy Co., Inc., et al. v. Technicolor SA,  
34 et al., No. 13-cv-05264;*

35 *Schultze Agency Services, LLC v.  
36 Technicolor SA, Ltd., et al., No. 13-cv-  
37 05668;*

38 *Target Corp. v. Technicolor SA, et al., No.*

39 **DECLARATION OF PHILIP IOVIENO IN  
40 SUPPORT OF DAPs' OPPOSITION TO  
41 MITSUBISHI ELECTRIC  
42 SUBSIDIARIES' NOTICE OF MOTION  
43 AND MOTION FOR SUMMARY  
44 JUDGMENT**

45 Judge: Hon. Samuel Conti

46 Date: February 6, 2015

47 Time: 10:00 AM

48 Place: Courtroom 1, 17<sup>th</sup> Floor

13-cv-05686;  
*Costco Wholesale Corporation v.*  
*Technicolor SA, et al.*, No. 13-cv-05723;  
*Electrograph Systems, Inc., et al. v.*  
*Technicolor SA, et al.*, No. 13-cv-05724;  
*P.C. Richard & Son Long Island*  
*Corporation, et al. v. Technicolor SA, et al.*,  
No. 13-cv-05725;  
*Office Depot, Inc. v. Technicolor SA, et al.*,  
No. 13-cv-05726;  
*Interbond Corp. of Am. v. Technicolor SA,*  
*et al.*, No. 13-cv-05727;

I, **PHILIP J. IOVIENO**, declare as follows:

1. I am a partner at the law firm of Boies, Schiller & Flexner LLP, liaison counsel  
for the Direct Action Plaintiffs (“DAPs”) in this matter, and I am licensed to practice law in the  
State of New York and admitted to practice *pro hac vice* before this Court. Except for those  
matters stated on information and belief, which I believe to be true, I have personal knowledge of  
the facts recited in this declaration and, if called upon to do so, I would competently testify under  
oath thereto.

2. The depositions of Mitsubishi witnesses Koji Murata and Masahiko Konishi took  
place on December 8-9, 2014, and December 10-11, 2014, respectively. Counsel for Mitsubishi  
has stated that Mitsubishi will produce Kunihiko Seki for his deposition in January 2015, and the  
DAPs intend to depose Mr. Seki in January 2015.

3. It remains possible that evidence may be adduced from this final discovery to be  
taken from Mitsubishi over the next few weeks which is relevant to the DAPs’ opposition to the  
summary judgment motion of Mitsubishi Electric US, Inc. and Mitsubishi Electric Visual  
Solutions America, Inc. regarding their participation in the CRT conspiracy.

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed on this 23rd day of December, 2014 at Albany, New York.

3  
4 /s/ Philip J. Iovieno

5 Philip J. Iovieno

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